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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,310	11/19/2001	Laurence I. Rockwell	7784-000188	7369

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EXAMINER
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PEACHES, RANDY

ART UNIT	PAPER NUMBER
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2686

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/992,310	Applicant(s) ROCKWELL, LAURENCE I.	
	Examiner Randy Peaches	Art Unit 2686	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 October 2004.
- 2a) ☒ This action is FINAL.      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3-12 and 14-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 3-12 and 14-19 is/are rejected.
- 7) ☒ Claim(s) 3 and 4 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Objections*

**Claims 3 and 4** are objected to because of the following informalities: The claims are depending on a cancelled "**claim 2**".

Appropriate correction is required.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. **Claims 1, 5, 7, 9, 11-12, 15, 17 and 19** are rejected under 35 U.S.C. 103(a) as being unpatentable over Monroe (U.S. Patent Number 6,392,692 B1) in view of Manganaris et al (U.S. Publication Number 2002/0082886 A1).

Regarding **claims 1, 12 and 19**, Monroe discloses in column 11 lines 5-6, of a comprehensive surveillance system for tracking, and/or surveillance of aircraft, ships, and other commercial vehicles, hereinafter referenced collectively as "commercial vehicles", which reads on claimed "network security architecture for monitoring security activities in a mobile network platform", comprising:

- a safety and surveillance equipment (transport installed system), which reads on claimed "mobile network", as taught in column 1 lines 25-30, residing on the said commercial vehicles, which reads on claimed "mobile network platform", the said transport installed system being interconnected via a link to the ground station or personal security unit, as disclosed in column 2 lines 46-48, 56-61, which reads on claimed "terrestrial-based network security management system";
- a aircraft sensor system (see column 3 lines 19-24), which reads on claimed "intrusion detection system", connected to the said transport installed system and residing on the said commercial vehicle, the said sensor system operable to detect a breach of security, unexpected event , or other unusual activities, which reads on claimed "security intrusion event", that is associated with the said transport installed system. See column 3 lines 9-15;
- a comprehensive multi-media system, which reads on claimed "mobile security manager", residing on the said commercial vehicle and adapted with a data collection scheme for safety and surveillance (column 3 lines 31-35) from the said sensor system, which reads on claimed "adapted to receive the security intrusion events from the intrusion detection system", the said comprehensive multi-media system is further operable to respond to the crew members and ground station, when applicable, which reads on claimed "security response", to the said breach of security events, when the said commercial vehicle is not connected with a said ground station, which reads on claimed "not connected", with the network security management system. See column 4 lines 36-39.

However, Monroe does not expressively disclose wherein a comprehensive surveillance system is operable perform security response activities in accordance with a security policy resident on the mobile network platform.

Manganaris et al teaches of an automated decision engine, which reads on claimed "security policy resident", operable to screen incoming alarms and according to conditions and trigger an alarm, which reads on claimed "security response activities", to alert others of the unusual behaviors. See paragraph [0013].

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Monroe (U.S. Patent Number 6,392,692 B1) to include Menard et al (U.S. Publication Number 2002/0177428 A1) in order to implement a functional element of the said system that determines the response according to the incoming alarm for a particular alarm event.

Regarding **claim 3**, as the above combination of Monroe (U.S. Patent Number 6,392,692 B1) in view of Manganaris et al (U.S. Publication Number 2002/0082886 A1) are made, the combination according to **claim 2**, further teaches, as disclosed by Manganaris et al in paragraph [0022], of a series of event alarms and/or event groupings or a combination of single events or event bursts, which reads on claimed "plurality of pre-defined security intrusion events", and in response to the said events being recognized as unusual, then a triggered alarm is created, which reads on claimed "security response for each of said plurality of security intrusion events", to alert others of the unusual behavior.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify Monroe (U.S. Patent Number 6,392,692 B1) to include Menard et al (U.S. Publication Number 2002/0177428 A1) in order to implement a functional element of the said system that determines the response according to the incoming alarm for a particular alarm event.

Regarding **claims 5 and 15**, as the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) are made, the combination according to **claims 1**, Monroe continue to teach wherein the said comprehensive surveillance system is comprised wherein the said transport installed system includes a plurality of sensors, which reads on claimed "plurality of user access points", such that the said breach of security is associated with one of the said plurality of sensors and the said response is directed to said one of the plurality of sensors, as disclosed in column 16 lines 28-36.

Regarding **claims 7 and 17**, as the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) are made, the combination according to **claims 5 and 15**, Monroe continue to teach herein the said comprehensive multi-media system maintains an indicator of the current operational state for each of the plurality of said sensors, such that the security response directed to said one of the plurality of said sensors is in part based on the

Art Unit: 2686

operational state of said one of the plurality of user sensors. See column 14 lines 51-61.

Regarding **claim 9**, as the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) are made, the combination according to **claim 7**, Monroe continue to teach wherein the said comprehensive multi-media system is further operable to identify the current operational state for said one of the plurality of said sensors and perform security response activities based in part on the identified operational state and the security intrusion event received from the intrusion detection system. See column 18 lines 4-12, 34-42.

Regarding **claim 11**, as the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) are made, the combination according to **claim 1**, Monroe continue to teach wherein the said comprehensive multi-media system is operable to transmit a message indicative of the security intrusion event to the said ground station or personal security unit and to perform security response activities in response to security commands received from the said comprehensive multi-media system. See column 8 lines 18-36 and column 17 lines 16-31.

2. **Claim 4** is rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S.

Art Unit: 2686

Publication Number 2002/0082886 A1) in further view of Schuba et al (U.S. Patent Number 6,725, 378 B1).

Regarding **claim 4**, as the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) are made, the combination according to **claim 1**, fails to disclose wherein data structure having a current operational state element, a possible security intrusion event element, a resulting operational state element, and a security response element.

Schuba et al discloses in column 8 lines 5-49, of classification operation of perfect, evil and suspect, which reads on claimed "a possible security intrusion event element, a resulting operational state element, and a security response element.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) to further include Schuba et al (U.S. Patent Number 6,725, 378 B1) in order define the effective operational states of an intrusion event to ensure a proper response is taken in effect.



3. **Claims 6, 10 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) in view of ISA ***"An Introduction to Intrusion Detection Assessment for System and Network Security Management"***.

Regarding **claims 6 and 16**, as the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) are made, the combination according to **claims 5 and 15**, the combination discloses where the said comprehensive surveillance system is comprised wherein the said transport installed system includes a plurality of sensors, which reads on claimed "plurality of user access points", such that the said breach of security is associated with one of the said plurality of sensors and the said response is directed to said one of the plurality of sensors, as disclosed in column 14 lines.

The combination (Monroe) continues to disclose where the pre-selected alarm signals are transmitted to the respected response center handling the breach of security notification. See column 18 lines 34-42. Additionally, provides a warning signal, which reads on claimed "warning message", to at least one of the said sensors, providing a said warning signal to the said network security management system.

However, the combination does not disclose wherein installing a network traffic blocking filter at one of said user access points, and disconnecting one of said user access points from the mobile network.

ISA discloses on page 29 under topic *Alter the Environment*, wherein at the time of a said breach of security, a network alteration can consist of blocking access to the user from the same source address, which reads on claimed " traffic blocking filter at one of said user access points, and disconnecting one of said user access".

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) to include ISA "***An Introduction to Intrusion Detection Assessment for System and Network Security Management***" in order to provide a system capable to filtering user's access to the network when a said breach of security id evident.

Regarding ***claim 10***, as the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) are made, the combination according to ***claim 9***, the combination (Monroe) continues to teach wherein the said comprehensive multi-media system is further operable to identify the current operational state for said one of the plurality of said sensors and perform security response activities based in part on the identified operational state and the security intrusion event received from the intrusion detection system. See column 18 lines 4-12, 34-42.

However, the combination does not disclose wherein the operational states of the said sensors are changed by the said comprehensive multi-media system.

ISA discloses on page 29 under topic *Alter the Environment*, wherein at the time of a said breach of security, a network alteration can consist of blocking access to the user from the same source address, which reads on claimed " traffic blocking filter at one of said user access points, and disconnecting one of said user access".

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) to include ISA "***An Introduction to Intrusion Detection Assessment for System and Network Security Management***" in order to provide a system capable to changing the operational state of a said sensor to either the security level or increase dependent on the said security policy.

4. ***Claims 8, 14 and 18*** are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) in view of Schuba et al (U.S. Patent Number 6,725, 378 B1).

Regarding ***claims 8 and 18***, as the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) are made, the combination according to ***claims 7 and 17***, the combination fails to teach

wherein the current operational state for any given access point is selected from the group consisting of a normal state, a suspended state, and a disconnect state.

Schuba et al teaches in column 8 lines 5-49 where three alarm classifications are disclosed: perfect, evil and suspect, which reads on claimed "normal state, a suspected state, and a disconnect state". Of which, each represents a different function as to the reaction the said system will take when the said alarm condition is present.

Therefore, at the time of the invention it would have been obvious to a person of ordinary skill in the art to modify the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) in order to define a security event hierarchy to ensure a proper operational state for the said sensors.

Regarding **claim 14**, as the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) are made, the combination according to **claim 12**, the combination fails to disclose wherein the security policy is defined by a data structure having a current operational state element, a possible security intrusion event element, a resulting operational state element, and a security response element.

Schuba et al discloses in column 8 lines 5-49, of classification operation of perfect, evil and suspect, which reads on claimed "a possible security intrusion event element, a resulting operational state element, and a security response element.

Art Unit: 2686

Therefore, at the time of the invention it would have been obvious to a person of ordinary skilled in the art to modify the combination of Monroe (U.S. Patent Number 6,392,692 B1) and Manganaris et al (U.S. Publication Number 2002/0082886 A1) to include Schuba et al (U.S. Patent Number 6,725, 378 B1) in order to order define the effective operational states of an intrusion event to ensure a proper response is taken in effect.

### ***Response to Arguments***

Applicant's arguments with respect to ***claims 1, 3-12 and 14-19*** have been considered but are moot in view of the new ground(s) of rejection.

Regarding ***claims 1, 5, 7, 9, 11-12, 15, 17 and 19*** the above rejection reflects the Examiner's rejection based on the amended language.

Regarding ***claims 3, 4, 6, 8, 10, 14, 16, and 18*** the Examiner would like to bring to the Applicant's attention the following excerpt from the Manual of Patent Examining Procedure (MPEP):

**§ 1.131 Affidavit or declaration of prior invention.**

- (a) When any claim of an application or a patent under reexamination is rejected, the inventor of the subject matter of the rejected claim, the owner of the patent under reexamination, or the party qualified under §§ 1.42, 1.43, or 1.47, may submit an appropriate oath or declaration to establish invention of the subject matter of the rejected claim prior to the effective date of the reference or activity on which the rejection is based. The effective date of a U.S. patent, U.S. patent application publication, or international application publication under PCT Article 21(2) is the earlier of its publication date or date that it is effective as a reference under 35 U.S.C. 102(e). Prior invention may not be established under this section in any country other than the United States, a NAFTA country, or a WTO member country. Prior invention may not be established under this section before December 8, 1993, in a NAFTA country other than the United States, or before January 1, 1996, in a WTO member country other than a NAFTA country. Prior invention may not be established under this section if either:
- (1) The rejection is based upon a U.S. patent or U.S. patent application publication of a pending or patented application to another or others which claims the same patentable invention as defined in § 1.601(n); or
  - (2) The rejection is based upon a statutory bar.
- (b) The showing of facts shall be such, in character and weight, as to establish reduction to practice prior to the effective date of the reference, or conception of the invention prior to the effective date of the reference coupled with due diligence from prior to said date to a subsequent reduction to practice or to the filing of the application. Original exhibits of drawings or records, or photocopies thereof, must accompany and form part of the affidavit or declaration or their absence satisfactorily explained.

Art Unit: 2686

Therefore, based on the information above, the showing of the facts (facts regarding the validity of the Applicant's date of priority) shall be such as to establish reduction to practice prior to the effective date of the reference or conception of the invention prior to the effective date of the reference. The information presented by the Applicant fails to establish validity of the effective date, which indicates conception and/or reduction in practice prior to the effective date of the reference.

Rejection of *claims 1, 3-12 and 14-19* stands based on the above information.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Randy Peaches whose telephone number is (571)272-7914. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha D. Banks-Harold can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Randy Peaches  
March 29, 2005

  
**CHARLES APPIAH**  
**PRIMARY EXAMINER**